

13.11.2025
Court No.28
Item No.16
ssi

CRM (A) 3258 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chanditala PS Case No.**296 of 2025** dated **27.04.2025** under Sections **329(4)/115(2)/76/3 (5)** of BNS, 2023 and Section 6 of the POCSO Act and Section 8 of the POCSO Act.

And

In the matter of: **Hafijul Mallik & others.**

....Applicants/Petitioners.

Mr. Ayan Basu
Mr. Sandip Kr. Mondal
Mr. Sumit Routh

...for the petitioners

Ms. Suparna Chatterjee

..for the State

Report filed on behalf of the State is taken on record.

Heard the learned counsels for the parties.

Perused the case diary.

It appears that the principal accused was granted bail. The names of the present petitioners have been taken by the victim's parents in their statements before the police as having assaulted the de facto complainant. However, neither the victim nor her mother took the names of the present petitioners in their statements before the learned Magistrate.

Considering the above, the other materials available in the case diary, the alleged roles ascribed to the present petitioners and the fact that charge sheet has been submitted, although I am inclined to grant anticipatory bail to the petitioners, their movement shall be restricted for a limited period.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioners shall not threaten or intimidate witnesses or tamper with evidence. The petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioners shall stay outside the jurisdiction of Chanditala Police Station for a period of two months from this date, except for attending the jurisdictional Court or meeting the Investigating Officer.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)